

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

MAY FLOWER INTERNATIONAL, INC.,

Plaintiff,

v.

TRISTAR FOOD WHOLESALE CO INC.,
THUC NGHI TRAN, MICHAEL G. LIEN, D
& Z SUPERMARKET CORP., SHIZHAN
WU, KATE PIAN, AND “JOHN DOES” 1-5,

Defendants.

REVISED DISCOVERY PLAN

Case No.: 1:21-cv-2891-RPK-PK

It is hereby ORDERED as follows:

1. The deadline for joint new parties or amend the pleadings was March 14, 2023.
2. Automatic disclosures required by Rule 26(a)(1) of the Federal Rules of Civil Procedure have been made.
3. Initial document requests and interrogatories have been exchanged.
4. All fact discovery to be completed by June 13, 2023.
5. Joint status report certifying close of fact discovery and indicating whether expert discovery is needed by June 20, 2023.
6. Ex parte settlement statement due July 5, 2023.
7. Settlement Conference (proposed date) July 13, 2023.
8. The parties shall make required Rule 26(a)(2) disclosures with respect to:
 - (a) expert witnesses on or before July 25, 2023.
 - (b) rebuttal expert witnesses on or before August 29, 2023.
 - (c) Depositions of expert to be completed on or before September 26, 2023.

9. All discovery, including depositions of experts, shall be completed on or before October 2, 2023.
10. Joint status report certifying close of ALL DISCOVERY and indicating whether dispositive motion is anticipated: October 16, 2023
11. If any party seeks a dispositive motion, date to
 - (a) file request for pre-motion conference (if required),
 - or (b) file briefing schedule for the motion: October 31, 2023
12. Proposed Joint Pre-Trial Order due (if no dispositive motion filed): November 15, 2023
13. Do the parties consent to trial before a magistrate judge pursuant to **28 U.S.C. § 636(c)**?
(Answer no if any party declines to consent without indicating which party has declined.) ☒ No

If parties answer yes, then fill out **the AO 85 (Rev. 01/09) Notice, Consent, and Reference of a Civil Action to a Magistrate Judge** form. The form can be accessed at the following link: <http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf>.

14. Status Conference will be held on _____.
* (The Court will schedule the conference listed above)
15. A Final Pre-trial Conference will be held on _____.
* (The Court will schedule the conference listed above.)

This scheduling order may be altered or amended upon a showing of good cause not foreseeable at the date hereof.

Dated: Brooklyn, New York

April 11, 2023

Peggy Kuo

PEGGY KUO
UNITED STATES MAGISTRATE JUDGE

PROPOSED BY:

KEVIN KERVENG TUNG P.C.

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